

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

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Chapter 11

VICTOR H. MAIA,

Case No. 18-16907-AMC

Debtor.

**ORDER GRANTING THE MOTION OF DEBTOR VICTOR H. MAIA FOR
AUTHORITY TO SELL REAL PROPERTY AT PRIVATE SALE, FREE AND CLEAR
OF ALL LIENS, CLAIMS, AND ENCUMBRANCES PURSUANT TO 11 U.S.C. § 363**

AND NOW, this _____ day of _____, 2021, upon consideration of the Motion of Victor H. Maia, the debtor and debtor in possession (the “Debtor”), by and through his undersigned counsel, Obermayer Rebmann Maxwell & Hippel LLP, for the entry of an order: (i) granting expedited consideration, shortened time and limited notice; (ii) granting the Debtor authority to sell the Debtor’s property located at 1641 Fillmore Street, Philadelphia, PA 19124, Tax Parcel No. 232192000 (the “Real Property”) at private sale to S&Z Real Estate LLC (the “Sale”), for the purchase price of Sixty-Seven Thousand Five Hundred dollars (\$67,500.00), free and clear of all liens, claims, and encumbrances pursuant to 11 U.S.C. § 363 (the “Motion”)¹ and any response thereto, and this Court being satisfied that due notice of the Motion and the Sale has been provided by the Debtor pursuant to 11 U.S.C. § 363, Rules 2002(a)(2), (c)(1), (k), 6004(a) and 9007 of the Federal Rules of Bankruptcy Procedure and Local Rules 2002-1, 6004-1, and 9014-3 of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Eastern District of Pennsylvania; and this Court being further satisfied that the Debtor has demonstrated that there is a sound business purpose for the sale of the Property, that the Sale

¹ Each capitalized term used but not defined herein shall have the meaning ascribed thereto in the Motion.

represents the highest and best offer for the Property, that the Sale is proposed in good faith and therefore, the relief requested in the Motion is appropriate and in the best interests of the Debtor; and it appearing that good cause exists for the relief requested in the Motion; and this Court having found and determined that the relief requested by the Debtor is necessary; and, after due deliberation and sufficient cause being shown,

IT IS HEREBY ORDERED THAT:

1. The Motion is in all respects GRANTED.
2. The Debtor is authorized to sell the Real Property, 1641 Fillmore Street, Philadelphia, PA 19124, Tax Parcel No. 232192000, pursuant to § 363(b), (f), (h), and (m) of the Bankruptcy Code, free and clear of any and all liens, claims or encumbrances, on an “as is, where is” basis, at private sale to S&Z Real Estate LLC or its assignee, for the purchase price of Sixty-Seven Thousand Five Hundred dollars (\$67,500.00).
3. The City of Philadelphia’s statutory and judicial liens on the Real Property shall be paid in full at closing.
4. The net proceeds of the Sale of the Real Property after payment of all ordinary and necessary closing costs, including but not limited all mortgages of record and as set forth in paragraph three (3) above, shall be held in escrow pending confirmation of a Plan of Reorganization and are intended to fund a liquidating trust pursuant to the Plan.
5. Until further Order of this Court or as set forth in a confirmed Plan, the Wrongful Death Creditors’ lien on the Real Property, to the extent such lien is valid and is not avoidable, shall attach to the funds in the escrow account to the extent and priority of the Wrongful Death Creditors’ valid lien against the Real Property, automatically by operation of this

Order, without the need for further order of this Court and without the requirement of any act to attach or perfect the liens.

6. This Court shall retain jurisdiction over any matters related to or arising from the implementation of this Order.

7. The fourteen (14) day stay imposed by Fed. R. Bankr. P. 6004(h) is hereby waived and this Order is effective immediately upon its entry.

BY THE COURT

Honorable Ashely M. Chan
United States Bankruptcy Judge

Copy to: Attached List

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Buyers of the Real Property